

CERTIFICATE OF MAILING

I hereby certify that on September 9, 1999, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231.

37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10
☐ with sufficient postage as first class mail ☒ as "Express Mail Post Office to Addressee" Mailing Label No. EL288630914US

Sandy Malec
Sandy Malec

Applicant: De Keczer, et al.

Serial No.:

Filed: September 9, 1999

Title: Protecting Groups For Biological Labeling

Examiner: Unassigned

Group Art Unit: Unassigned

Atty Docket No.: IR98-7410 (14598/27)

PATENT

1c525 U.S. PTO
09/393579

PATENT TRANSMITTAL

Commissioner of Patents and Trademarks
Box Patent Application
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of inventor:

Steve de Keczer
Yen Ping Liu
Dariush Davalian
Nurith Kurn
Edwin F. Ullman

For: **Protecting Groups For Biological Labeling**

1. Type of Application

This new application is for a(n)

- ☒ Original (non provisional)
☐ Design
☐ Plant
☐ Divisional
☐ Continuation-in-part (CIP)

2. Papers Enclosed

A. Required for filing date under 37 CFR § 1.53(b)(Regular) or 37 CFR § 1.153 (Design Application)

64 pages of specification

6 pages of claims

____ sheets of drawings (do not submit original drawings)

(completed the following, if applicable)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 CFR 1.84(b).

B. Other Papers Enclosed

- 5 Pages of Combined Declaration and Power of Attorney In Original Application.
3 Pages of Assignment (Joint Inventors)
4 Pages of Legal Reminder On the Duty Of Candor/Best Mode Disclosure Before The U.S. Patent And Trademark Office
2 Pages of Recordation Form Cover Sheet
1 Pages of abstract
 Other

3. Assignment

- ☒ An assignment of the invention to Dade Behring
☒ is attached. A separate ☐ "COVERSHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☒ FORM PTO 1595 is also attached.
☐ will follow.

4. Fee Calculation

- A ☒ Regular application

CLAIMS AS FILED			
Number filed	Number Extra	Rate	Basic Fee 37 CFR § 1.16(a) \$790.00
Total Claims (37 CFR § 1.16(c))	60-20=40	x \$18.00=	720.00
Independent Claims (37 CFR § 1.16(b))	11-3=8	x \$78.00=	624.00
Multiple dependent claims(s), if any (37 CFR § 1.16(d))		+ \$260.00=	260.00

- ☐ An amendment canceling extra claims is enclosed.
☐ An amendment deleting multiple-dependencies is enclosed.
☐ The fee for extra claims is not being paid at this time

Filing Fee Calculation \$ 2,394.00

- B. ☐ Design application (\$330-37 CFR§1.16(f)) \$
C. ☐ Plant application (\$540-37 CFR§1.16(g)) \$

5. **Fee Payment Being Made at Time**

- ☐ Not Enclosed
- ☐ No filing fee is to be paid at this time.
- ☒ Enclosed
- ☒ Filing Fee \$ 2,394.00
- ☒ Recording Assignment (\$40.00) \$ 40.00
- ☐ Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached
(\$130.00 - 37 CFR §§1.47 and 1.17(j)) \$ _____
- ☐ For processing an application with a specification in a non-English language
(\$130.00; 37 CFR 1.53(d) and 1.21(k)) \$ _____
- ☐ Processing and retention fee
(\$130.00; 37 CFR 1.53(d) and 1.21(l)) \$ _____
- ☐ Fee for international-type search report
(\$40.00; 37 CFR 1.21(e)) \$ _____
- Total fees enclosed \$ 2,434.00

6. **Method of Payment of Fees**

- ☒ A check in the amount of \$2,434.00 is enclosed.
- ☐ charge Deposit Account No. _____ in the amount of \$ _____.
- A duplicate of this transmittal is attached.

7. **Authorization to Charge Additional Fees**

(If no fees are to be paid on filing, the following items should not be completed)

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 16-2330.
- ☒ 37 CFR §§1.16(a), (f), or (g) (Filing fees)
- ☒ 37 CFR §§1.16(b), (c), and (d) (presentation of extra claims)
- ☒ 37 CFR §§1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 CFR §§1.17(a)(1)-(5) (extension fees pursuant to §1.136(a))
- ☒ 37 CFR §§1.17 (application processing fees)
- ☐ 37 CFR §§1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR §1.1311(b))

8. Instructions as to Overpayment

- ☒ Credit Account No. 16-2230
☐ Refund

9. Instructions as to Correspondence

Please address all further correspondence to:

DADE BEHRING, INC.
Legal Department
1717 Deerfield Road, Box 778
Deerfield, IL 50014-0778
Attn: Lois K. Ruzala, Esq.
Telephone: (847) 267-5300
Facsimile: (947) 267-5376

Respectfully submitted,

Dated: September 7, 1999



Louis C. Cullman
Registration No. 39,645

OPPENHEIMER WOLFF & DONNELLY LLP
2029 Century Park East, Suite 3800
Los Angeles, California 90067-3024
Telephone: (949) 823-6000
Facsimile: (949) 823-6020

DOCKET NO: IR-98-7410
LEGAL REMINDER ON THE DUTY OF CANDOR/BEST MODE DISCLOSURE
BEFORE THE U.S. PATENT AND TRADEMARK OFFICE

Patent Office Rule 1.56 places a continuing duty upon each person who is or was substantively involved in the preparation or prosecution of a U.S. patent application, including each attorney, inventor(s), and perhaps other technical people and supervisors, to disclose to the U.S. Patent and Trademark Office ("PTO") all information of which he is aware which is "material" to the examination of the patent application. This duty continues even after the application has been allowed; its breach will cause the loss of patent protection. The purpose of this letter is to minimize, if not eliminate, this possibility.

Each recipient of this letter is asked to consider the following questions based on his knowledge at the time this letter is received. Each question should be answered, even if the answer is negative. In the event that the answer to any of the questions is positive, please submit to me any documents or other evidence available which bears on the question. Information sent to me previously, and of record in the case file, need not be considered or mentioned. I will review the submissions and determine which documents, if any, are material to the examination of the patent application and hence need to be transmitted to the PTO to comply with the Rule. (To assist you, a draft information disclosure statement is attached showing such submissions already received by this office.)

- a) Are you aware of any additional prior patents (U.S. and foreign) or prior publications relating to the novelty, obviousness or utility of this invention which should be mentioned in the Information Disclosure Statement.

- b) Are you aware of any prior products or processes of Dade Behring, its affiliated companies, or of competitors which show or suggest the invention?
- c) Are you aware of any unpublished experimental work, either within or outside Dade Behring or its affiliated companies, which shows or suggests the invention or work which compares the invention with the prior art, regardless of the results of the work?
- d) Are you aware of any disclosures more than one year prior to filing, e.g., written or oral disclosures outside Dade Behring or its affiliated companies (whether under secrecy or not), offers of samples, displays at trade shows, any outside uses and sales, offers to sell, any testing outside of Dade Behring or its affiliated company's facilities.

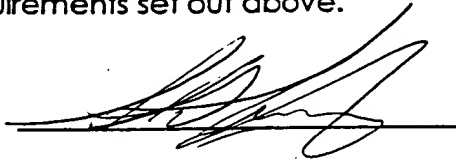
Under 35 U.S.C. § 112, an additional obligation on the part of the inventor is the disclosure in the application of the best mode of carrying out the invention. Failure to make such disclosure in the application at the time it is filed with the PTO will cause the loss of patent protection.

In order that the patent application files reflect our efforts to disclose all material information, please indicate your compliance with the above by signing and returning to me a copy of this letter.

LKR/dar

I have understood and complied with the Duty of Candor/Best Mode Disclosure requirements set out above.

Signature:



Printed Name: Steve de Keczer

Date:

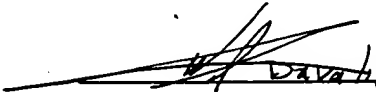
13 Aug 99



Signature: Yen Ping Liu

Printed Name: Yen Ping Liu

Date: 8/23/99

Signature:  Dariush Davalian

Printed Name: Dariush Davalian

Date: 8-13-99

Signature: _____

Printed Name: Nurith Kurn

Date: _____

Signature: _____

Printed Name: Edwin F. Ullman

Date: _____

Signature: _____

Printed Name: Yen Ping Liu

Date: _____

Signature: _____

Printed Name: Dariush Davalian

Date: _____

Signature: Nurith K

Printed Name: Nurith Kurn

Date: 8/26/99

Signature: _____

Printed Name: Edwin F. Ullman

Date: _____